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REMARKS

In the Final Office Action, the Examiner noted that claims 1-28 and 30-42 are pending in the application, and that claims 1-28 and 30-42 are rejected. By this response, claims 1, 28, 37, and 40 are amended and claim 3 is cancelled. In view of the above amendments and the following discussion, the Applicant submits that none of the claims now pending in the application are obvious under the provisions of 35 U.S.C. § 103. Thus, the Applicant believes that all of these claims are now in condition for allowance.

REJECTION OF CLAIMS UNDER 35 U.S.C. §103(a)

The Examiner rejected claims 1-28 and 30-42 as being unpatentable over the Li patent (United States patent 6,549,587, issued April 15, 2003) in view of the Amrany patent (United States patent 6,067,316, issued May 23, 2000). The rejection is respectfully traversed.

More specifically, the Examiner alleged that Li describes "an apparatus including means for decoding a plurality of streamed packets (84 and 96), [and] generating a PCM stream." (Final Office Action, ¶1, p. 3) (citing Li, col. 12, lines 55-57 and col. 13, lines 17-23). The Examiner conceded that Li does not disclose a mechanism for filtering the signal stream. (Final Office Action, ¶1, p. 3). The Examiner alleged, however, that Amrany describes "a low-pass filter (Fig. 4 '150') for filtering a signal stream." (Final Office Action, ¶1, p. 3) (citing Amrany, col. 1, lines 40-47). The Examiner concluded that it would have been obvious to include the low-pass filter of Amrany in the apparatus of Li "in order to protect the incident telephone circuits from unwanted high frequencies." (Final Office Action, ¶1, p. 3). The Applicant respectfully disagrees.

Li discloses a mechanism for transmitting voice over a packet based system, such as a voice-over-IP system. (See Li, col. 10, lines 18-36). Referring to FIG. 6, Li discloses a voice encoder 82 for encoding voice samples into PCM format, and a packetization engine 78 for formatting the PCM encoded voice samples into voice packets. (Li, col. 11, line 63 through col. 12, line 3). On the decoding side, Li describes

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a depacketizing engine 84 for transforming the voice packets into frames, and a voice decoder 96 for decoding the voice frames to generate PCM formatted digital voice samples. (Li, col. 12, lines 55-62; col. 13, lines 17-24).

Amrany generally discloses a circuit for combined XDSL and POTS services. (See Amrany, Abstract). In particular, Amrany describes a low-pass filter (150, FIG. 4) for filtering-out higher-frequency DSL signals and delivering only POTS signals. (Amrany, col. 7, lines 10-25; FIG. 4).

In view of the foregoing, the cited references, either singly or in any permissible combination, do not teach, suggest, or otherwise render obvious the Applicant's invention as recited in claim 1. Namely, the alleged combination of Li and Amrany fails to teach or suggest <u>filtering a first signal stream decoded from a packet stream to generate a PCM signal stream and rate converting the PCM signal stream</u>. Specifically, the Applicant's amended claim 1 positively recites:

> A method for generating a pulse code modulated (PCM) signal stream from a plurality of streamed packets received over a packet network, said method comprising the steps of:
> decoding said plurality of streamed packets to generate a decoded signal stream;
> <u>filtering said decoded signal stream to generate said PCM signal stream; and</u>
> <u>rate converting said PCM signal stream.</u>

(Emphasis added). Notably, claim 1 has been amended to include features from claim 3 the Applicant considers inventive.

First, Li is devoid of any teaching or suggestion of a mechanism for converting the rate of the PCM stream data. Rather, Li states that the voice decoder "decodes the voice frames into digital voice samples suitable for transmission on a circuit switched network, such as a 64 kb/s PCM signal for a PSTN line." (Li, col. 13, lines 17-20). Thus, while Li <u>generates</u> a PCM signal, Li does not <u>convert the rate</u> of the generated PCM signal. Moreover, while Li discloses that various types of voice decoders may be employed that operate at various rates, Li does teach or suggest that a voice decoder, <u>once selected</u>, is capable of converting the rate of a PCM signal stream. (See Li, col. 27, lines 16-35).

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Second, Amrany is completely devoid of any teaching or suggestion of rate converting a generated PCM signal. Rather, Amrany is concerned with a shared DSL/POTS circuit. Since neither Li nor Amrany teach or suggest filtering a first signal stream decoded from a packet stream to generate a PCM signal stream and rate converting the PCM signal stream, no conceivable combination of Li and Amrany renders obvious the Applicant's invention recited in claim 1. Therefore, the Applicant contends that claim 1 is patentable over the combination of Li and Amrany and, as such, fully satisfies the requirements of 35 U.S.C. §103.

Independent claims 28, 37, and 40 each recite an apparatus for generating a PCM signal stream having features similar to the features of claim 1 emphasized above. Thus, for the same reasons cited above, the Applicant contends that claims 28, 37, and 40 are patentable over the combination of Li and Amrany and, as such, fully satisfy the requirements of 35 U.S.C. §103. In addition, the Applicant notes that features added to claims 1, 28, 37, and 40 were substantially recited in cancelled claim 3 and have been examined in the Final Office Action. (Final Office Action, p. 5). As such, the Applicant respectfully requests entry of the amendments to claims 1, 28, 37, and 40 contained in the present after-final response.

Furthermore, the cited references, either singly or in any permissible combination, do not teach, suggest, or otherwise render obvious the Applicant's invention as recited in claim 12. Namely, the alleged combination of Li and Amrany fails to teach or suggest <u>converting the bit-rate of a signal stream decoded from streamed packets and filtering the converted signal to generate a PCM streamed audio signal</u>. Specifically, the Applicant's claim 12 positively recites:

> A method for generating a pulse code modulated (PCM) streamed audio signal from a plurality of streamed packets received from an Internet content provider server over the Internet, said PCM streamed audio signal suitable for conveyance over a circuit switched call connection, said method comprising the steps of:
> receiving said plurality of streamed packets;
> decoding said plurality of streamed packets to generate a decoded signal stream;
> <u>converting the bit rate of said decoded signal stream to generate a converted signal stream compatible with said circuit switched call connection</u>; and

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> filtering said converted signal stream to generate said PCM streamed
> audio signal.

(Emphasis added).

First, Li fails to teach or suggest <u>converting the bit-rate</u> of a signal stream decoded from a packet stream. Rather, Li describes depacketizing a packet stream to generate frames, and decoding the frames to generate a PCM signal. Li is devoid of any discussion regarding a modification in a bit-rate associated with the packets, frames, or PCM signal. Again, while Li discloses that various types of voice decoders may be employed that operate at various rates, Li does teach or suggest that a voice decoder, <u>once selected</u>, is capable of converting a bit-rate associated with any of the packets, frames, or PCM signal.

Second, Amrany is completely devoid of any teaching or suggestion of converting the bit-rate of a signal stream decoded from a packet stream. Rather, Amrany is concerned with a shared DSL/POTS circuit. Since neither Li nor Amrany teach or suggest converting the bit-rate of a signal stream decoded from streamed packets and filtering the converted signal to generate a PCM streamed audio signal, no conceivable combination of Li and Amrany renders obvious the Applicant's invention recited in claim 12. Therefore, the Applicant contends that claim 12 is patentable over the combination of Li and Amrany and, as such, fully satisfies the requirements of 35 U.S.C. §103.

Independent claims 18, 21, and 27 each recite an apparatus for generating a PCM streamed audio signal having features similar to the features of claim 12 emphasized above. Thus, for the same reasons cited above, the Applicant contends that claims 18, 21, and 27 are patentable over the combination of Li and Amrany and, as such, fully satisfy the requirements of 35 U.S.C. §103.

Finally, claims 2, 4-11, 13-17, 19-20, 22-26, 30-36, 38-39, and 41-42 depend, either directly or indirectly, from claims 1, 12, 18, 21, 27-28, 37, and 40 and recite additional features therefor. Since the combination of Li and Amrany does not render obvious the Applicant's invention as recited in claims 1, 12, 18, 21, 27-28, 37, and 40,

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dependent claims 2, 4-11, 13-17, 19-20, 22-26, 30-36, 38-39, and 41-42 are also nonobvious and are allowable.

CONCLUSION

Thus, the Applicant submits that none of the claims presently in the application are obvious under the provisions of 35 U.S.C. § 103. Consequently, the Applicant believes that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the maintenance of any adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone either Mr. Robert M. Brush, Esq. or Mr. Eamon J. Wall, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

1/18/04

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